

IN THE CLAIMS:

1. (ORIGINAL) A method of selecting an active base station for use during soft handover, the active base station being for receiving data from a source user equipment for onward transmission to a destination user equipment, the method comprising:
 - determining a measure of a quality of service from the base station to the destination user equipment; and
 - selecting the base station as an active base station based on the measure of the quality of service.

2. (CURRENTLY AMENDED) A The method according to claim 1, further comprising ~~the steps of~~ determining a credit value based on the measure of the quality of service, and transmitting the credit value from the base station to the source user equipment.

3. (CURRENTLY AMENDED) A The method according to claim 2, wherein the source user equipment receives the credit value from the base station and selects a base station as an active base station based on the credit value.

4. (CURRENTLY AMENDED) A The method according to claim 3, wherein a credit value is determined for each of a plurality of source user equipments.

5. (CURRENTLY AMENDED) ~~A~~ The method according to claim
~~1 any of the preceding claims~~, wherein a plurality of different measures of the
quality of service from the base station to a destination user equipment are
determined.

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6. (CURRENTLY AMENDED) ~~A~~ The method according to claim
~~1 any of the preceding claims~~, wherein at least one of the following measures of
quality of service is determined:

- (a) throughput ratio
- 10 (b) ratio of satisfied packets
- (c) base station buffer occupancy.

7. (CURRENTLY AMENDED) ~~A~~ The method according to claim
~~1 any of the preceding claims~~, wherein a credit value is determined for each of a
15 plurality of source user equipments by comparing measures of a quality of service
from the base station to a plurality of destination user equipments.

8. (CURRENTLY AMENDED) ~~A~~ The method according to claim 7,
wherein the credit value is based on at least one of the following relative measures:

- 20 (a) distance from average throughput
- (b) distance from minimum throughput ratio
- (c) distance from minimum quality of service
- (d) distance from minimum buffer length

9. (CURRENTLY AMENDED) A The method according to claim 7 or 8, wherein the credit value is based on a plurality of relative measures, and is a single value obtained by combining the relative measures.

5 10. (CURRENTLY AMENDED) A The method according to claim 1 ~~any of the preceding claims~~ wherein a source user equipment receives credit values from the base station, and selects a base station as an active base station based on a history of the credit values.

10 11. (CURRENTLY AMENDED) A The method according to claim 10, wherein a source user equipment with an improving history of credit values from a base station selects that base station as an active base station.

15 12. (CURRENTLY AMENDED) A The method according to claim 11, wherein a source user equipment with a worsening history of credit values from a base station deselects that base station as an active base station.

20 13. (CURRENTLY AMENDED) A The method according to claim 1 ~~any of the preceding claims~~, wherein a base station is selected as an active base station based additionally on a measure of radio channel conditions from a source user equipment to the base station.

25 14. (CURRENTLY AMENDED) A The method according to claim 13, wherein a base station is selected as an active base station based on a history of radio channel conditions.

15. (CURRENTLY AMENDED) ~~A-~~The method according to claim
1~~any of the preceding claims~~, wherein the selecting ~~selection step~~ is carried out by
a user equipment and the method further comprising ~~a step of~~ transmitting an
5 indication of a selected base station from the user equipment to the base station.

16. (CURRENTLY AMENDED) ~~A-~~The method according to claim
1~~any of the preceding claims~~, further comprising ~~the step of~~ scheduling uplink
transmissions in dependence on the measure of a quality of service.

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17. (CURRENTLY AMENDED) ~~A-~~The method according to claim 16,
wherein a source user equipment receives a credit value based on the measure of a
quality of service and determines a time and/or rate of packet transmission based
on the credit value.

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18. (CURRENTLY AMENDED) ~~A-~~The method according to claim
1~~any of the preceding claims~~, the method being repeated periodically.

19. (CURRENTLY AMENDED) ~~A-~~The method according to claim
20 1~~any of the preceding claims~~, wherein the base station transmits data to a
destination user equipment in its downlink.

20. (CURRENTLY AMENDED) ~~A-~~The method according to claim
1~~any of the preceding claims~~, wherein the base station transmits data to a
25 destination user equipment via a network.

21. (CURRENTLY AMENDED) A base station for receiving data packets in an uplink from a source user equipment for onward transmission to a destination user equipment, the base station comprising:

- 5 | ~~a means for determining~~ unit which determines a measure of a quality of service from the base station to the destination user equipment;
- | ~~a means for producing~~ unit which produces a credit value based on the measure of the quality of service;
- | ~~a means for transmitting~~ unit which transmits the credit value to the source
- 10 | user equipment;
- | ~~a means for receiving~~ unit which receives from the source user equipment an indication of whether the base station has been selected as an active base station; and
- | ~~an means for allocating~~ unit which allocates a channel to the source user
- 15 | equipment if the base station has been selected as an active base station.

22. (CURRENTLY AMENDED) ~~A~~ The base station according to claim 21, wherein a credit value is determined for each of a plurality of source user equipments.

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23. (CURRENTLY AMENDED) ~~A~~ The base station according to claim 21 ~~or 22~~, wherein the credit value is based on a plurality of different measures of the quality of service from the base station to a destination user equipment.

24. (CURRENTLY AMENDED) ~~A~~The base station according to ~~any~~
~~of~~ claims 21 ~~to~~ 23, wherein a credit value is determined for each of a plurality of
source user equipments by comparing measures of a quality of service from the
base station to a plurality of destination user equipments.

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25. (CURRENTLY AMENDED) ~~A~~The base station according to ~~any~~
~~of~~ claims 21 ~~to~~ 24, wherein the credit value is based on a plurality of relative
measures, and is a single value obtained by combining the relative measures.

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26. (CURRENTLY AMENDED) A user equipment for transmitting
data to a destination user equipment via one or more base stations using soft
handover, the user equipment comprising:

~~a means for~~ receiving unit which receives a credit value from a base station,
the credit value being based on a measure of a quality of service from the base
station to the destination user equipment; and

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~~a means for~~ selecting unit which selects a base station as an active base
station based on the credit value.

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27. (CURRENTLY AMENDED) ~~A~~The user equipment according to
claim 26, further comprising ~~a means for~~ storing unit which stores a history of
credit values, and wherein the selecting unit ~~means~~ is arranged to select a base
station as an active base station based on the history of credit values.

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28. (CURRENTLY AMENDED) ~~A~~The user equipment according to
claim 26 ~~or~~ 27, further comprising ~~a means for~~ determining unit which determines

a measure of radio channel conditions from the user equipment to the base station,
 and wherein the selecting ~~means-unit~~ is arranged to select a base station as an
 active base station based additionally on the measure of radio channel conditions.

5 29. (CURRENTLY AMENDED) A ~~The~~ user equipment according to
 claim ~~26~~29, further comprising ~~a means for storing~~ unit which stores a history of
 radio channel conditions, and wherein the selecting unit ~~means~~-is arranged to select
 a base station as an active base station based on the history of radio channel
 conditions.

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 30. (CURRENTLY AMENDED) A ~~The~~ user equipment according to
~~any of claims 26 to 29~~, further comprising ~~a means for transmitting~~ unit which
transmits an indication of a selected base station.

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 31. (CURRENTLY AMENDED) A ~~The~~ user equipment according to
~~any of claims 26 to 30~~, further comprising ~~a means for scheduling~~ unit which
schedules uplink transmissions in dependence on the credit value.

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 32. (CANCELLED)

 33. (NEW) A communications system comprising:
a base station for receiving data packets in an uplink from a source user equipment
for onward transmission to a destination user equipment, the base station
comprising:

- a determining unit which determines a measure of a quality of service from the base station to the destination user equipment;
- a producing unit which produces a credit value based on the measure of the quality of service;
- 5 a transmitting unit which transmits the credit value to the source user equipment;
- a receiving unit which receives from the source user equipment an indication of whether the base station has been selected as an active base station; and
- an allocating unit which allocates a channel to the source user equipment if the base station has been selected as an active base station; and
- 10 a user equipment for transmitting data to a destination user equipment via one or more base stations using soft handover, the user equipment comprising:
 - a receiving unit which receives said credit value from a base station, the credit value being based on a measure of a quality of service from the base station to the destination user equipment; and
 - 15 a selecting unit which selects a base station as an active base station based on the credit value.